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TAGS: [PHUM](#) [PGOV](#) [KJUS](#) [CO](#)  
SUBJECT: FISCALIA SPECIAL COMMISSION INVESTIGATING  
EXTRAJUDICIAL KILLINGS

REF: BOGOTA 7623

Classified By: Political Counselor John S. Creamer. Reason: 1.4(b) and  
(d)

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SUMMARY  
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11. The Prosecutor General's office (Fiscalia) has sent a special commission to Antioquia, Cordoba, and four other departments to review the backlog of alleged extrajudicial killing and to spur action on investigations. Human Rights unit prosecutor William Arteaga--based in Medellin--heads the commission and told us it is examining 160 alleged extrajudicial killings in Antioquia and 34 more in Cordoba. He voiced concern that recent cases in Cordoba reflect a disturbing pattern in which soldiers claim dead peasants as FARC to earn leave, promotions, or other benefits. Arteaga confirmed the commission is investigating recent extrajudicial killings in Cordoba that have been highlighted by the United Nations High Commission for Human Rights in Colombia (UNHCHR) and the OAS Mission in Support of the Peace Process (MAPP/OAS). End Summary.

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FISCALIA SPECIAL COMMISSION AIDING IN CASES  
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12. (C) Fiscalia Human Rights unit prosecutor William Arteaga, who heads the unit's Medellin office, told us November 9 that the Fiscalia has created two special commissions--one in Medellin and the other in Villavicencio--to review the backlog of cases of alleged extrajudicial killings and to spur progress on investigations. Arteaga heads the Medellin commission which is tasked with following up on cases in Antioquia, Cordoba, Sucre, Choco, Caldas and Risaralda departments. The commission, made up of seven prosecutors and seven assistant prosecutors, is examining 160 cases in Medellin and 34 cases in Cordoba, and will visit Cordoba from November 13-23 to review cases. Arteaga said given its legacy as the birthplace of paramilitarism, Cordoba is a difficult place to work. Many local prosecutor are reluctant to aggressively investigate military personnel alleged to have committed extrajudicial killings due to fear of military or criminal retaliation.

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CORBODA ARRESTS FOR "FALSE POSITIVES"  
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13. (SBU) Arteaga said the Fiscalia is investigating several high profile killings in Cordoba. The Fiscalia has detained

Lieutenant Edgar Santos and five soldiers under his command for their alleged involvement in the deaths of two young men from Caucasia, Antioquia. The two men, Jhon Freddy Carmargo (age 17) and Darwin Rivera (age 20), were recruited by Jhonathan Barrios, alias "Carmelo", on February 17, 2006 to work on a farm near Monteria, Cordoba. Five and half hours after leaving by taxi for Monteria, the two men were found dead, dressed in camouflage uniforms. The 11th Brigade later claimed the two as FARC killed in combat (bajas). The Fiscalia has testimony from a friend of Carmargo implicating the military. Camargo's friend received the same job offer but turned it down.

¶4. (C) Arteaga told us the murders of Camargo and Rivera reflect a disturbing pattern in which soldiers kill civilians, usually poorly educated peasants, to inflate their "kills" to earn leave, promotions, or other benefits. He cited another incident in which soldiers apparently shot and killed several passengers, including the brother of former congresswoman and paramilitary associate Leonor Pineda, traveling on a rural road in Cordoba. Arteaga said the Fiscalia's investigation of these cases is impeded by military courts' efforts to claim jurisdiction over the incidents. In the Camargo case, the 29th Military Justice court said the arrests ordered by the Fiscalia were too "forward leaning" given that jurisdiction had not yet been resolved. Still, Arteaga praised Military Criminal Justice Director Luz Marin Gil's work to ensure military courts accept the Fiscalia's jurisdiction, noting that her personal intervention has successfully resolved several jurisdictional disputes.

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TULO VIEJO CASE EXAMPLE  
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¶5. (C) Arteaga said the Camargo and Rivera killings resemble another recent apparent case of extrajudicial killings involving eleven young men from Tulo Viejo, Sucre (reftel). Victims' families confirmed to us on October 29 in Cordoba that the young men were offered work on a local farm, only to be later claimed as kills by the Cordoba-based 11th Brigade. Cordoba OAS/MAPP coordinator Patricia Rodriguez told us they believe the cases were extrajudicial killings, and the families have asked that the cases be investigated by special prosecutors from Bogota, fearing a lack of a fair investigation in Cordoba/Sucre. Arteaga told us the commission is investigating the case. The local UNHCHR office is also tracking the investigation.  
Brownfield